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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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A	WD2-98-024
EXAMINER	

ART UNIT, J	PAPER NUMBER
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DATE MAILED:

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/107,971

Applicant(s)
Walker et al.

Examiner
John Young

Art Unit
2162



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 28, 1999
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3 & 4 20) ☐ Other:

Art Unit: 2162

STATUS OF THE CLAIMS

1. Claims 1-27 are pending.

DRAWING OBJECTIONS

2. This application has been filed with drawings that are acceptable for examination and publication purposes. The review process for drawings that are included with applications on filing has been modified in view of the new requirement to publish applications at eighteen months after the filing date of applications, or any priority date claimed under 35 U.S.C. §§119, 120, 121, or 365.

CLAIM REJECTIONS — 35 U.S.C. §103(a)

The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter

Art Unit: 2162

pertains. Patentability shall not be negated by the manner
in which the invention was made.

3. Independent claims 1, 20 & 21 and dependent claims 2-13, are rejected under 35 U.S.C. §103(a) as being unpatentable over Storch 5,548,110 (8/20/1996) (herein referred to as "Storch") in view of Roberts 5,772,510 (6/30/1998) [US f/d: 10/26/1995] (herein referred to as "Roberts") and further in view of "Heads I win, tails you lose." The Economist (13 June 1992) vol. 323, p. 74 (herein referred to as "The Economist").

As per claim 1, Storch (FIG. 1; FIG. 2; FIG. 22; FIG. 24; FIG. 25; FIG. 28; FIG. 29; FIG. 31; FIG. 32; FIG. 34; FIG. 50; col. 6, ll. 26-48; col. 8, ll. 17-40; col. 13, ll. 27-30; col. 70, ll. 50-64; and col. 132, ll. 33-50) shows elements that suggest:

A method for facilitating the purchase of fractional lottery tickets using a point-of-sale terminal, comprising: determining a monetary value; selecting a ticket record that includes a set of ticket numbers; purchasing at least one lottery ticket based on the monetary value and the set of ticket numbers after the step of selecting; and outputting the ticket numbers and a fractional lottery ticket value that is based on the monetary value.

Art Unit: 2162

Storch lacks an explicit recitation of a lottery “ticket record. . . .”

Official Notice is taken that both the concept and the advantages of a lottery “ticket record. . . .” were well known and expected in the art at the time of the invention. It would have been obvious to include a lottery “ticket record. . . .” because such identifiers would have provided means for “[sending] . . . ticket completion information necessary to provide a completed lottery ticket. . . .” (See Roberts (col. 6, ll. 54-55)).

Storch lacks an explicit recitation of: “outputting the ticket numbers and a fractional lottery ticket value that is based on the monetary value. . . .” even though Storch (FIG. 1; FIG. 2; FIG. 22; FIG. 24; FIG. 25; FIG. 28; FIG. 29; FIG. 31; FIG. 32; FIG. 34; FIG. 50; col. 6, ll. 26-48; col. 8, ll. 17-40; col. 13, ll. 27-30; col. 70, ll. 50-64; and col. 132, ll. 33-50) suggests the same.

Roberts (FIG. 2B, el. 20b; and col. 4, ll. 5-65) shows elements that suggest “outputting the ticket numbers and a fractional lottery ticket value that is based on the monetary value. . . .”

Roberts proposes ticket number modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Roberts with the system and method of Storch because such combination would have provided means for “[sending] . . . ticket completion information necessary to provide a completed lottery ticket. . . .” (See Roberts (col. 6, ll. 54-55)).

Art Unit: 2162

Storch lacks an explicit recitation of: “determining a monetary value. . . .”

The Economist (p. 1) shows elements that suggest “determining a monetary value. . . .”

The Economist proposes monetary determination modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of The Economist with the system and method of Storch because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

As per claim 2, Storch in view of Roberts and further in view of The Economist shows the method of claim 1. (See the rejection of claim 1 supra).

Storch lacks an explicit recitation of: “determining a monetary value based on an amount of change due for a purchase. . . .”

The Economist (p. 1) shows elements that suggest “determining a monetary value based on an amount of change due for a purchase. . . .”

The Economist proposes monetary determination modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of The Economist with the system and method of Storch because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

Art Unit: 2162

As per claim 3, Storch in view of Roberts and further in view of The Economist shows the method of claim 1. (See the rejection of claim 1 supra).

Storch lacks an explicit recitation of: “creating the ticket record. . . .” even though Storch (FIG. 1; FIG. 2; FIG. 22; FIG. 24; FIG. 25; FIG. 28; FIG. 29; FIG. 31; FIG. 32; FIG. 34; FIG. 50; col. 6, ll. 26-48; col. 8, ll. 17-40; col. 13, ll. 27-30; and col. 132, ll. 33-50) suggests the same.

Roberts (FIG. 1; FIG. 2B, el. 20b; FIG. 2C, el. 20b; & FIG. 8B) shows elements that suggest “creating the ticket record. . . .”

Roberts proposes ticket record creation modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Roberts with the system and method of Storch because such combination would have provided means “for dispensing completed lottery tickets from a vending machine.” (See Roberts (col. 2, ll. 59-60)).

As per claim 4, Storch in view of Roberts and further in view of The Economist shows the method of claim 1. (See the rejection of claim 1 supra).

Storch lacks an explicit recitation of: “selecting a ticket record randomly. . . .” even though Storch (FIG. 1; FIG. 2; FIG. 22; FIG. 24; FIG. 25; FIG. 28; FIG. 29; FIG. 31; FIG. 32; FIG. 34; FIG. 50; col. 6, ll. 26-48; col. 8, ll. 17-40; col. 13, ll. 27-30; and col. 132, ll. 33-50) suggests the same.

Art Unit: 2162

Roberts (FIG. 2A; FIG. 5; & FIG. 8A) shows elements that suggest “selecting a ticket record randomly. . . .”

Roberts proposes ticket record selection modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Roberts with the system and method of Storch because such combination would have provided means “for dispensing completed lottery tickets from a vending machine.” (See Roberts (col. 2, ll. 59-60)).

As per claim 5, Storch in view of Roberts and further in view of The Economist shows the method of claim 1. (See the rejection of claim 1 supra).

Storch lacks an explicit recitation of: “receiving a signal indicating selected ticket numbers. . . .” even though Storch (FIG. 1; FIG. 2; FIG. 22; FIG. 24; FIG. 25; FIG. 28; FIG. 29; FIG. 31; FIG. 32; FIG. 34; FIG. 50; col. 6, ll. 26-48; col. 8, ll. 17-40; col. 13, ll. 27-30; and col. 132, ll. 33-50) suggests the same.

Roberts (FIG. 2A; FIG. 5; & FIG. 8A) shows elements that suggest “receiving a signal indicating selected ticket numbers. . . .”

Roberts proposes ticket selection modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Roberts with the system and

Art Unit: 2162

method of Storch because such combination would have provided means “for dispensing completed lottery tickets from a vending machine.” (See Roberts (col. 2, ll. 59-60)).

As per claim 6, Storch in view of Roberts and further in view of The Economist shows the method of claim 5. (See the rejection of claim 5 supra).

Storch lacks an explicit recitation of: “selecting a plurality of ticket records to select a ticket record that indicates the selected ticket numbers. . . .” even though Storch (FIG. 1; FIG. 2; FIG. 22; FIG. 24; FIG. 25; FIG. 28; FIG. 29; FIG. 31; FIG. 32; FIG. 34; FIG. 50; col. 6, ll. 26-48; col. 8, ll. 17-40; col. 13, ll. 27-30; col. 70, ll. 50-64; and col. 132, ll. 33-50) suggests the same.

Roberts (FIG. 6A & FIG. 6B) shows elements that suggest “selecting a plurality of ticket records to select a ticket record that indicates the selected ticket numbers. . . .”

Roberts proposes ticket record selection modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Roberts with the system and method of Storch because such combination would have provided means “for dispensing completed lottery tickets from a vending machine.” (See Roberts (col. 2, ll. 59-60)).

As per claim 7, Storch in view of Roberts and further in view of The Economist shows the method of claim 1. (See the rejection of claim 1 supra).

Art Unit: 2162

Storch lacks an explicit recital of “increasing a total value amount of the selected ticket record in accordance with the fractional lottery ticket value.”

The Economist (p. 1) shows elements that suggest “increasing a total value amount of the selected ticket record in accordance with the fractional lottery ticket value.”

The Economist proposes ticket value increase modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of The Economist with the system and method of Storch because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

As per claim 8, Storch in view of Roberts and further in view of The Economist shows the method of claim 7. (See the rejection of claim 7 supra).

Storch lacks an explicit recital of “adjusting an amount to round up based on the increased total value amount.”

The Economist (p. 1) shows elements that suggest “adjusting an amount to round up based on the increased total value amount.”

The Economist proposes value-rounding-up modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of The Economist with the system and method of Storch because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

Art Unit: 2162

As per claim 9, Storch in view of Roberts and further in view of The Economist shows the method of claim 1. (See the rejection of claim 1 supra).

Storch lacks an explicit recital of “selecting a ticket record having an amount to round up at least as great as the fractional lottery ticket value.”

The Economist (p. 1) shows elements that suggest “selecting a ticket record having an amount to round up at least as great as the fractional lottery ticket value.”

The Economist proposes fractional rounding-up modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of The Economist with the system and method of Storch because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

As per claim 10, Storch in view of Roberts and further in view of The Economist shows the method of claim 1. (See the rejection of claim 1 supra).

Storch lacks an explicit recital of “determining a set of ticket records that each have an amount to round up at least as great as the fractional lottery ticket value; and selecting a ticket record from the set of ticket records which has a minimal amount to round up.”

The Economist (p. 1) shows elements that suggest “determining a set of ticket records that each have an amount to round up at least as great as the fractional lottery

Art Unit: 2162

ticket value; and selecting a ticket record from the set of ticket records which has a minimal amount to round up.”

The Economist proposes fractional rounding-up modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of The Economist with the system and method of Storch because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

As per claim 11, Storch (FIG. 1; FIG. 2; FIG. 22; FIG. 24; FIG. 25; FIG. 28; FIG. 29; FIG. 31; FIG. 32; FIG. 34; FIG. 50; col. 6, ll. 26-48; col. 8, ll. 17-40; col. 13, ll. 27-30; col. 70, ll. 50-64; and col. 132, ll. 33-50) shows elements that suggest:

A method for facilitating the purchase of fractional lottery tickets using a point-of-sale terminal, comprising: determining a monetary value; selecting a ticket record that includes a set of ticket numbers; purchasing at least one lottery ticket based on the value and the set of ticket numbers after the step of selecting; and outputting the ticket numbers and a fractional lottery ticket value that is based on the monetary value.

Art Unit: 2162

Storch lacks an explicit recitation of: “determining a monetary value. . . .”

The Economist (p. 1) shows elements that suggest “determining a monetary value. . . .”

The Economist proposes monetary determination modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of The Economist with the system and method of Storch because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

Storch lacks an explicit recitation of a lottery “determining an amount of change due for a purchase. . . .”

Official Notice is taken that both the concept and the advantages of a lottery “determining an amount of change due for a purchase. . . .” were well known and expected in the art at the time of the invention. It would have been obvious to include in a lottery ticket dispensing system means for “determining an amount of change due for a purchase. . . .” because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

Storch lacks an explicit recitation of: “determining a monetary value based on the amount of change due. . . .”

The Economist (p. 1) shows elements that suggest “determining a monetary value based on the amount of change due. . . .”

Art Unit: 2162

The Economist proposes monetary determination modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of The Economist with the system and method of Storch because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

Storch lacks an explicit recitation of a lottery “ticket record. . . .”

Official Notice is taken that both the concept and the advantages of a lottery “ticket record. . . .” were well known and expected in the art at the time of the invention. It would have been obvious to include a lottery “ticket record. . . .” because such identifiers would have provided means for “[sending] . . . ticket completion information necessary to provide a completed lottery ticket. . . .” (See Roberts (col. 6, ll. 54-55)).

Storch lacks an explicit recitation of: “outputting the ticket numbers and a fractional lottery ticket value that is based on the monetary value. . . .” even though Storch (FIG. 1; FIG. 2; FIG. 22; FIG. 24; FIG. 25; FIG. 28; FIG. 29; FIG. 31; FIG. 32; FIG. 34; FIG. 50; col. 6, ll. 26-48; col. 8, ll. 17-40; col. 13, ll. 27-30; col. 70, ll. 50-64; and col. 132, ll. 33-50) suggests the same.

Roberts (FIG. 2B, el. 20b; and col. 4, ll. 5-65) shows elements that suggest “outputting the ticket numbers and a fractional lottery ticket value that is based on the monetary value. . . .”

Roberts proposes ticket number modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the

Art Unit: 2162

art at the time of the invention to combine the teachings of Roberts with the system and method of Storch because such combination would have provided means for “[sending] . . . ticket completion information necessary to provide a completed lottery ticket. . . .” (See Roberts (col. 6, ll. 54-55)).

As per claim 12, Storch in view of Roberts and further in view of The Economist shows the method of claim 11. (See the rejection of claim 11 supra).

Storch lacks an explicit recital of “rounding the amount of change due to a predetermined multiple, thereby generating a rounded change amount; and setting the monetary value equal to the rounded change amount.”

The Economist (p. 1) shows elements that suggest “rounding the amount of change due to a predetermined multiple, thereby generating a rounded change amount; and setting the monetary value equal to the rounded change amount.”

The Economist proposes change rounding modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of The Economist with the system and method of Storch because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

As per claim 13, Storch in view of Roberts and further in view of The Economist shows the method of claim 12. (See the rejection of claim 12 supra).

Art Unit: 2162

Storch lacks an explicit recital of “rounding down the amount of change due to a predetermined multiple, thereby generating a rounded-down change amount.”

The Economist (p. 1) shows elements that suggest “rounding down the amount of change due to a predetermined multiple, thereby generating a rounded-down change amount.”

The Economist proposes change rounding-down modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of The Economist with the system and method of Storch because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

As per claim 14, Storch in view of Roberts and further in view of The Economist shows the method of claim 13. (See the rejection of claim 13 supra).

Storch lacks an explicit recital of “outputting an offer to exchange a fractional lottery ticket for change due.”

The Economist (p. 1) shows elements that suggest “outputting an offer to exchange a fractional lottery ticket for change due.”

The Economist proposes offer outputting modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of The Economist with the

Art Unit: 2162

system and method of Storch because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

As per claim 15, Storch (FIG. 1; FIG. 2; FIG. 22; FIG. 24; FIG. 25; FIG. 28; FIG. 29; FIG. 31; FIG. 32; FIG. 34; FIG. 50; col. 6, ll. 26-48; col. 8, ll. 17-40; col. 13, ll. 27-30; col. 70, ll. 50-64; and col. 132, ll. 33-50) shows elements that suggest:

A method for facilitating the purchase of fractional lottery tickets using a point-of-sale terminal, comprising: determining a monetary value; selecting a ticket record that includes a set of ticket numbers; purchasing at least one lottery ticket based on the monetary value and the set of ticket numbers after the step of selecting; and outputting the ticket numbers and a fractional lottery ticket value that is based on the monetary value.

Storch lacks an explicit recitation of a lottery “ticket record. . . .”

Official Notice is taken that both the concept and the advantages of a lottery “ticket record. . . .” were well known and expected in the art at the time of the invention. It would have been obvious to include a lottery “ticket record. . . .” because such identifiers would have provided means for “[sending] . . . ticket completion information necessary to provide a completed lottery ticket. . . .” (See Roberts (col. 6, ll. 54-55)).

Art Unit: 2162

Storch lacks an explicit recitation of: “outputting the ticket numbers and a fractional lottery ticket value that is based on the monetary value. . . .” even though Storch (FIG. 1; FIG. 2; FIG. 22; FIG. 24; FIG. 25; FIG. 28; FIG. 29; FIG. 31; FIG. 32; FIG. 34; FIG. 50; col. 6, ll. 26-48; col. 8, ll. 17-40; col. 13, ll. 27-30; col. 70, ll. 50-64; and col. 132, ll. 33-50) suggests the same.

Roberts (FIG. 2B, el. 20b; and col. 4, ll. 5-65) shows elements that suggest “outputting the ticket numbers and a fractional lottery ticket value that is based on the monetary value. . . .”

Roberts proposes ticket number modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Roberts with the system and method of Storch because such combination would have provided means for “[sending] . . . ticket completion information necessary to provide a completed lottery ticket. . . .” (See Roberts (col. 6, ll. 54-55)).

Storch lacks an explicit recitation of: “determining a monetary value. . . .”

The Economist (p. 1) shows elements that suggest “determining a monetary value. . . .”

The Economist proposes monetary determination modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of The

Art Unit: 2162

Economist with the system and method of Storch because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

Storch lacks an explicit recitation of a lottery “determining a prize value of the at least one lottery ticket; and providing a portion of the prize value based on the fractional lottery ticket value.”

Official Notice is taken that both the concept and the advantages of a lottery “determining a prize value of the at least one lottery ticket; and providing a portion of the prize value based on the fractional lottery ticket value. . . .” were well known and expected in the art at the time of the invention. It would have been obvious to have included a determination of a prize value and based it on the fractional lottery ticket value because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

As per claim 16, Storch (FIG. 1; FIG. 2; FIG. 22; FIG. 24; FIG. 25; FIG. 28; FIG. 29; FIG. 31; FIG. 32; FIG. 34; FIG. 50; col. 6, ll. 26-48; col. 8, ll. 17-40; col. 13, ll. 27-30; col. 70, ll. 50-64; and col. 132, ll. 33-50) shows elements that suggest:

A method for facilitating the purchase of fractional lottery tickets using a point-of-sale terminal, comprising: determining a total value amount corresponding to a set of ticket numbers. . . .

Art Unit: 2162

Storch lacks an explicit recitation of a lottery “acquiring at least one lottery ticket having the set of ticket numbers based on the total value amount.”

Official Notice is taken that both the concept and the advantages of “acquiring at least one lottery ticket having the set of ticket numbers based on the total value amount. . . .” were well known and expected in the art at the time of the invention. It would have been obvious to have included “acquiring at least one lottery ticket having the set of ticket numbers based on the total value amount. . . .” because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

As per claim 17, Storch in view of Roberts and further in view of The Economist shows the method of claim 16. (See the rejection of claim 16 supra).

Storch lacks an explicit recitation of a lottery “acquiring is performed at predefined periods.”

Official Notice is taken that both the concept and the advantages of “acquiring is performed at predefined periods. . . .” were well known and expected in the art at the time of the invention. It would have been obvious that “acquiring is performed at predefined periods. . . .” because such measures would have provided means for “[sending] . . . ticket completion information necessary to obtain a completed lottery ticket. . . .” (See Roberts (col. 6, ll. 54-55)).

Art Unit: 2162

As per claim 18, Storch in view of Roberts and further in view of The Economist shows the method of claim 16. (See the rejection of claim 16 supra).

Storch lacks an explicit recitation of a lottery “acquiring is performed at a predefined time before a drawing.”

Official Notice is taken that both the concept and the advantages of “acquiring is performed at a predefined time before a drawing. . . .” were well known and expected in the art at the time of the invention. It would have been obvious that “acquiring is performed at a predefined time before a drawing. . . .” because such measures would have provided means for “[sending] . . . ticket completion information necessary to obtain a completed lottery ticket. . . .” (See Roberts (col. 6, ll. 54-55)).

As per claim 19, Storch in view of Roberts and further in view of The Economist shows the method of claim 16. (See the rejection of claim 16 supra).

Storch lacks an explicit recitation of: “determining an amount to round up based on the total value amount; and in which the step of acquiring is performed when the amount to round up is below a predetermined value.”

The Economist (p. 1) shows elements that suggest “determining an amount to round up based on the total value amount. . . .”

The Economist proposes amount-rounding-up modifications that would have applied to the system and method of Storch. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of The

Art Unit: 2162

Economist with the system and method of Storch because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

Storch lacks an explicit recitation of: “the step of acquiring is performed when the amount to round up is below a predetermined value. . . .”

Official Notice is taken that both the concept and the advantages of “the step of acquiring is performed when the amount to round up is below a predetermined value. . . .” were well known and expected in the art at the time of the invention. It would have been obvious that “the step of acquiring is performed when the amount to round up is below a predetermined value. . . .” because such combination would have provided means for “determining a monetary value. . . .” (See The Economist (p. 1)).

Claims 20 & 21 are rejected for substantially the same reasons as claim 1.

Claims 22 & 23 are rejected for substantially the same reasons as claim 11.

Claims 24 & 25 are rejected for substantially the same reasons as claim 15.

Claims 26 & 27 are rejected for substantially the same reasons as claim 16.

Art Unit: 2162

RELEVANT PRIOR ART

4. The prior art references made of record and not relied upon are considered pertinent to

Applicant's disclosure:

U.S. Patent Documents

5,505,449, U.S. Pat. [Apr. 09, 1996] Eberhardt et al. 273/138

“VIDEO LOTTERY SYSTEM WITH IMPROVED SITE CONTROLLER AND VALIDATION UNIT.” This reference discusses random lottery ticket records; (see col. 17, ll. 50-67; col. 18, ll. 1-7; & col. 18, ll. 51-56) ref. claims 1, 3, 4, 6, 9-11, 15 & 20-25.

5,475,205, U.S. Pat. [Dec. 12, 1995] Behm et al. 235/375

“DOCUMENT VERIFICATION SYSTEM.” This reference discusses random lottery ticket records; (see col. 31, ll. 8-48) ref. claims 1, 3, 4, 6, 9-11, 15 & 20-25.

CONCLUSION

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Any response to this action may be sent via facsimile to either:

Art Unit: 2162

(703) 308-6165 or 305-6606 or 308-6296 (for formal communications marked EXPEDITED PROCEDURE), or

(703) 308-5397 (for informal communications marked PROPOSED or DRAFT).


Hand delivered responses may be brought to:

Sixth floor Receptionist
Crystal Park II
2121 Crystal Drive
Arlington, Virginia.

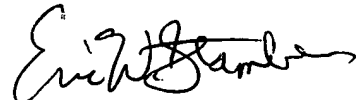
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Young who may be reached via telephone at (703) 305-3801. The examiner can normally be reached Monday through Friday between 8:30 A.M. and 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber, may be reached at (703) 305-8469.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

John L. Young 

Patent Examiner



ERIC W. STAMBER
PRIMARY EXAMINER

September 27, 2001